

Section 150bb, Pub. L. 85-36, title I, § 103, May 23, 1957, 71 Stat. 32; Pub. L. 97-461, § 1(a), Jan. 12, 1983, 96 Stat. 2523; Pub. L. 100-449, title III, § 301(f)(1), Sept. 28, 1988, 102 Stat. 1868; Pub. L. 103-465, title IV, § 431(c)(1), Dec. 8, 1994, 108 Stat. 4967, prohibited movement of plant pests into or through the United States or interstate.

Section 150cc, Pub. L. 85-36, title I, § 104, May 23, 1957, 71 Stat. 32; Pub. L. 100-449, title III, § 301(f)(2), Sept. 28, 1988, 102 Stat. 1869; Pub. L. 103-465, title IV, § 431(c)(2), Dec. 8, 1994, 108 Stat. 4967, prohibited mailing of plant pests.

Section 150dd, Pub. L. 85-36, title I, § 105, May 23, 1957, 71 Stat. 32; Pub. L. 97-98, title XI, § 1119(1), Dec. 22, 1981, 95 Stat. 1272, authorized emergency measures to prevent dissemination of plant pests.

Section 150ee, Pub. L. 85-36, title I, § 106, May 23, 1957, 71 Stat. 33, authorized promulgation of regulations requiring inspection of products and articles.

Section 150ff, Pub. L. 85-36, title I, § 107, May 23, 1957, 71 Stat. 34; Pub. L. 90-578, title IV, § 402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 97-98, title XI, § 1119(2), Dec. 22, 1981, 95 Stat. 1273; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117, authorized warrantless stops and inspections and entries with warrants for inspections and seizures.

Section 150gg, Pub. L. 85-36, title I, § 108, May 23, 1957, 71 Stat. 34; Pub. L. 97-461, § 1(b), Jan. 12, 1983, 96 Stat. 2523, set forth criminal and civil penalties.

Section 150hh, Pub. L. 85-36, title I, § 109, May 23, 1957, 71 Stat. 34, related to separability of provisions.

Section 150ii, Pub. L. 85-36, title I, § 111, May 23, 1957, 71 Stat. 34, provided that authority conferred by this chapter was to be in addition to that conferred by other statutes.

Section 150jj, Pub. L. 85-36, title I, § 111, May 23, 1957, 71 Stat. 35, provided that nothing in this chapter was to amend or repeal provisions of the Plant Quarantine Act.

#### SHORT TITLE

Section 101 of Pub. L. 85-36 provided that title I of Pub. L. 85-36, which enacted this chapter and provisions set out as a note under section 147a of this title, amended section 149 of this title, and repealed sections 141 to 144 and 441 of this title, could be cited as the “Federal Plant Pest Act”, prior to repeal by Pub. L. 106-224, title IV, § 438(a)(2), June 20, 2000, 114 Stat. 454.

### CHAPTER 8—NURSERY STOCK AND OTHER PLANTS AND PLANT PRODUCTS

#### §§ 151 to 154. Repealed. Pub. L. 106-224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454

Section 151, act Aug. 20, 1912, ch. 308, § 11, 37 Stat. 319, defined “person” as used in this chapter.

Section 152, act Aug. 20, 1912, ch. 308, § 6, 37 Stat. 317, defined “nursery stock” for purpose of this chapter.

Section 153, act Aug. 20, 1912, ch. 308, § 11, 37 Stat. 319, related to liability of principal for act or omission of agent.

Section 154, acts Aug. 20, 1912, ch. 308, § 1, 37 Stat. 315; July 31, 1947, ch. 405, 61 Stat. 680; Pub. L. 100-449, title III, § 301(f)(3)(A), Sept. 28, 1988, 102 Stat. 1869; Pub. L. 103-465, title IV, § 431(d)(1), Dec. 8, 1994, 108 Stat. 4967, required that movement of nursery stock into or through the United States be made in accordance with regulations to prevent dissemination of plant pests, plant diseases, or insect pests.

#### EFFECTIVE DATE

Section 14 of act Aug. 20, 1912, provided that act Aug. 20, 1912, enacting this chapter, was effective Oct. 1, 1912, except as otherwise provided, prior to repeal by Pub. L. 106-224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454.

#### § 155. Omitted

#### CODIFICATION

Section, act Mar. 4, 1913, ch. 145, § 1 [part], 37 Stat. 854, provided that any class of nursery stock or of any

other class of plants, fruits, vegetables, roots, bulbs, seeds, or other plant products of which the importation could be forbidden from any country or locality under the provisions of section 160 of this title could be imported for experimental or scientific purposes by the Department of Agriculture.

#### §§ 156 to 161. Repealed. Pub. L. 106-224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454

Section 156, acts Aug. 20, 1912, ch. 308, § 2, 37 Stat. 316; Pub. L. 100-449, title III, § 301(f)(3)(B), Sept. 28, 1988, 102 Stat. 1869; Pub. L. 103-465, title IV, § 431(d)(2), Dec. 8, 1994, 108 Stat. 4968, required that Secretary of Agriculture be notified of arrival of nursery stock at port of entry, prohibited forwarding without notification, and provided for inspection before shipment.

Section 157, act Aug. 20, 1912, ch. 308, § 3, 37 Stat. 316, set forth marking requirements for entry of nursery stock into United States.

Section 158, act Aug. 20, 1912, ch. 308, § 4, 37 Stat. 316, related to marking and inspection of imported nursery stock for interstate shipment.

Section 159, acts Aug. 20, 1912, ch. 308, § 5, 37 Stat. 316; Pub. L. 97-432, § 1(1), Jan. 8, 1983, 96 Stat. 2276, related to regulation of importation of plant products other than nursery stock.

Section 160, acts Aug. 20, 1912, ch. 308, § 7, 37 Stat. 317; Pub. L. 97-432, § 1(2), Jan. 8, 1983, 96 Stat. 2276, authorized regulations prohibiting importation of nursery stock or other plant products to prevent introduction into United States of any tree, plant or fruit disease or any injurious insect.

Section 161, acts Aug. 20, 1912, ch. 308, § 8, 37 Stat. 318; Mar. 4, 1917, ch. 179, 39 Stat. 1165; Apr. 13, 1926, ch. 135, 44 Stat. 250; Pub. L. 95-439, § 4, Oct. 10, 1978, 92 Stat. 1062; Pub. L. 97-432, § 1(3), Jan. 8, 1983, 96 Stat. 2276; Pub. L. 104-127, title IX, § 911, Apr. 4, 1996, 110 Stat. 1185, authorized quarantine of any State, territory, or district of the United States in order to prevent the spread of a dangerous plant disease or insect infestation.

#### § 161a. Omitted

#### CODIFICATION

Section was from the Department of Agriculture Appropriation Act, 1945, act June 28, 1944, ch. 296, 58 Stat. 440, related to disposition of moneys from inspection and certification of domestic plants and plant products for export, and was not repeated in subsequent appropriation acts. Similar provisions were contained in prior appropriation acts as follows:

July 12, 1943, ch. 215, 57 Stat. 408.

July 22, 1942, ch. 516, 56 Stat. 686.

#### § 162 to 164a. Repealed. Pub. L. 106-224, title IV, § 438(a)(1), June 20, 2000, 114 Stat. 454

Section 162, act Aug. 20, 1912, ch. 308, § 9, 37 Stat. 318, authorized rules and regulations as necessary for carrying out the purposes of this chapter.

Section 163, acts Aug. 20, 1912, ch. 308, § 10, 37 Stat. 318; Pub. L. 97-461, § 2, Jan. 12, 1983, 96 Stat. 2523, set forth penalties for violations of provisions of this chapter or regulations promulgated thereunder.

Section 164, act Aug. 20, 1912, ch. 308, § 10, 37 Stat. 318, set forth duty of United States attorneys to prosecute violations of this chapter.

Section 164a, act Aug. 20, 1912, ch. 308, § 10, as added May 1, 1928, ch. 462, 45 Stat. 468, authorized search and seizure of nursery stock and plant products by Department of Agriculture employees.

#### § 165. Repealed. Pub. L. 88-448, title IV, § 402(a)(13), Aug. 19, 1964, 78 Stat. 493

Section, act Aug. 20, 1912, ch. 308, § 12, 37 Stat. 319, related to appointment of members of a Federal Horticultural Board from among employees of Department of Agriculture.